

CLOSED,USSC,USSC-T

**U.S. District Court
District of Alaska (Anchorage)
CRIMINAL DOCKET FOR CASE #: 3:12-cr-00102-SLG-1**

Case title: USA v. Maifea et al

Date Filed: 12/13/2012
Date Terminated: 05/14/2013

Assigned to: Sharon L. Gleason

Defendant (1)

Albert Maifea
16754-006
TERMINATED: 05/14/2013

represented by **Darrel J. Gardner**
Federal Public Defender's Agency
425 G Street, Suite 800
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LEAD ATTORNEY
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

21:846, 841(a)(1) and (b)(1)(B)
DRUG CONSPIRACY
(1)

21:841(a)(1) and (b)(1)(B)
DISTRIBUTION OF A
CONTROLLED SUBSTANCE
(2)

Disposition

Counts 1 and 2: 68 months imprisonment; 5 years
supervised release; \$200.00 special assessment

Counts 1 and 2: 68 months imprisonment; 5 years
supervised release; \$200.00 special assessment

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Frank V. Russo**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Kelly A. Cavanaugh

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/13/2012	<u>1</u>	INDICTMENT COVER SHEET(S) AND SIGNATURES as to Albert Maifea (1) count(s) 1, 2, Kevin Ricker (2) count(s) 1, 2, 3. (Attachments: # <u>1</u> Criminal Cover Sheet re Defendant Maifea, # <u>2</u> Criminal Cover Sheet re Defendant Ricker) (CLW, COURT STAFF) (Entered: 12/13/2012)
12/13/2012	<u>2</u>	INDICTMENT as to Albert Maifea, Kevin Ricker. (CLW, COURT STAFF) (Entered: 12/13/2012)
12/14/2012	<u>3</u>	MOTION for Writ of Habeas Corpus ad prosequendum by USA as to Albert Maifea. (Attachments: # <u>1</u> Proposed Writ, # <u>2</u> Proposed Order)(Cavanaugh, Kelly) (Entered: 12/14/2012)
12/14/2012	<u>4</u>	JDR ORDER granting <u>3</u> Motion for Writ of Habeas Corpus ad prosequendum as to defendant <u>Albert Maifea</u> . Clerk to issue Writ accordingly. (JAM, Chambers Staff) (Entered: 12/14/2012)
12/14/2012	<u>5</u>	JDR TEXT ORDER as to defendant <u>Albert Maifea</u> . Setting Arraignment set for 12/17/2012 at 4:00 PM in Anchorage Courtroom 5 before Deborah M. Smith. cc: PFD/USM/PTS (JAM, Chambers Staff) (Entered: 12/14/2012)
12/14/2012		Writ of Habeas Corpus ad Prosequendum Issued as to Albert Maifea (NKD, COURT STAFF) (Entered: 12/14/2012)
12/17/2012	<u>6</u>	Minute Entry for proceedings held before Judge Deborah M. Smith:Arraignment on Indictment as to Albert Maifea (1) Count 1,2 held on 12/17/2012. Darrel Gardner, FPD Appointed. Defendant pled not guilty to counts 1 and 2 of the Indictment. Pretrial Motions due 1/9/2013. Final Pretrial Conference set 2/11/2013 at 3:00 p.m. before Judge Gleason in Anchorage Courtroom 3. Trial by Jury set 2/19/2013 at 9:00 a.m. before Judge Gleason in Anchorage Courtroom 3. cc: USM, USPO, FPD, JC (BMM, COURT STAFF) (Entered: 12/18/2012)
12/17/2012	<u>7</u>	CJA 23 Financial Affidavit by Albert Maifea. (BMM, COURT STAFF) (Entered: 12/18/2012)
12/17/2012	<u>8</u>	ORDER OF DETENTION as to Albert Maifea. Signed by Judge Deborah M. Smith on 12/17/2012. cc: USM, USPO (BMM, COURT STAFF) (Entered: 12/18/2012)
12/17/2012	<u>9</u>	ORDER OF PROGRESSION OF A CRIMINAL CASE as to Albert Maifea: Motions due by 1/9/2013. Final Pretrial Conference set for 2/11/2013 03:00 PM in Anchorage Courtroom 3 before Sharon L. Gleason. Jury Trial set for 2/19/2013 09:00 AM in Anchorage Courtroom 3 before Sharon L. Gleason. Signed by Judge Deborah M. Smith on 12/17/2012. cc: USM, USPO, JC (BMM, COURT STAFF) (Entered: 12/18/2012)
12/19/2012	<u>11</u>	MOTION for Protective Order by USA as to Albert Maifea, Kevin Ricker. (Attachments: # <u>1</u> Proposed Order)(Cavanaugh, Kelly) (Entered: 12/19/2012)
12/20/2012	<u>13</u>	JDR ORDER granting <u>11</u> Motion for Protective Order as to defendants Albert Maifea, and Kevin Ricker. (JAM, Chambers Staff) (Entered: 12/20/2012)
12/28/2012	<u>19</u>	SLG TEXT ORDER: Due to a scheduling conflict in the Court's calendar, IT IS ORDERED that the Final Pretrial Conference scheduled for February 11, 2013 is VACATED and rescheduled for February 13, 2013 at 3:30 p.m. before Judge Sharon Gleason in courtroom 3. cc: USM, USPO and JC (AEM, CHAMBERS STAFF) (Entered: 12/28/2012)

01/08/2013	<u>20</u>	First MOTION for Extension of Time to File <i>Pretrial Motions</i> by Albert Maifea. (Attachments: # <u>1</u> Proposed Order)(Gardner, Darrel) (Entered: 01/08/2013)
01/08/2013	<u>21</u>	DECLARATION of <i>Counsel</i> by Albert Maifea <u>20</u> First MOTION for Extension of Time to File <i>Pretrial Motions</i> filed by Albert Maifea (Gardner, Darrel) (Entered: 01/08/2013)
01/14/2013	<u>22</u>	First UNOPPOSED MOTION to <i>Continue Trial</i> by Albert Maifea. (Attachments: # <u>1</u> Proposed Order)(Gardner, Darrel) (Entered: 01/14/2013)
01/14/2013	<u>23</u>	Second UNOPPOSED MOTION to <i>Continue Pretrial Motions Deadline</i> by Albert Maifea. (Attachments: # <u>1</u> Proposed Order)(Gardner, Darrel) (Entered: 01/14/2013)
01/16/2013	<u>24</u>	ORDER: scheduling a hearing on the Motion to Continue Trial <u>22</u> as to Albert Maifea (1) on January 25, 2013 at 9:00 a.m. Signed by Judge Sharon L. Gleason on 01/16/2013. (AEM, CHAMBERS STAFF) cc: USM, USPO, and JC (Entered: 01/16/2013)
01/25/2013	<u>25</u>	Minute Entry for proceedings held before Judge Sharon L. Gleason: Motion Hearing as to Albert Maifea, Kevin Ricker held on 1/25/2013 re First Unopposed Motion to Continue Trial <u>22</u> GRANTED; Second Unopposed Motion to Continue Pretrial Motions Deadline <u>23</u> GRANTED; First Motion for Extension of Time to File Pretrial Motions <u>20</u> DENIED as moot. Court found excludable delay under 18 U.S.C. Section 3161(h)(7)(B)(iv) Continuance granted in order to give reasonable time to prepare. Pretrial motions due 2/15/2013. Final Pretrial Conference set for 2/13/2013 was VACATED and RESET for 3/11/2013 03:00 PM and Jury Trial set for 2/19/2013 was VACATED and RESET for 3/18/2013 08:30 AM in Anchorage Courtroom 3 before Sharon L. Gleason. cc: USM, USPO, JC (SCD, COURT STAFF) (Entered: 01/28/2013)
02/13/2013	<u>26</u>	NOTICE OF INTENT TO CHANGE PLEA as to Albert Maifea (Gardner, Darrel) (Entered: 02/13/2013)
02/14/2013	27	SLG TEXT ORDER: Upon consideration of the defendant Albert Maifea's Notice of Intent to Change Plea <u>26</u> , and the request therein to schedule a Change of Plea hearing, the court hereby GRANTS the request and schedules the proposed Change of Plea hearing for February 15, 2013 at 9:30 a.m. cc: USM, USPO and JC (AEM, CHAMBERS STAFF) (Entered: 02/14/2013)
02/14/2013	<u>28</u>	PLEA AGREEMENT as to Albert Maifea (Cavanaugh, Kelly) (Entered: 02/14/2013)
02/14/2013	<u>29</u>	SEALED PLEA AGREEMENT ADDENDUM as to Albert Maifea (Cavanaugh, Kelly) (Entered: 02/14/2013)
02/15/2013	<u>30</u>	<p>Minute Entry for proceedings held before Judge Sharon L. Gleason: Proposed Change of Plea Hearing as to Albert Maifea held on 2/15/2013. Count 2 on the front page of the Indictment is to read: Distribution Of A Controlled Substance; Vio. of 21 U.S.C. Section 841(a)(1) and (b)(1)(B). Pleas entered by Albert Maifea (1) Guilty Counts 1,2. Final Pretrial Conference set for 3/11/2013 and Jury Trial set for 3/18/2013 were VACATED. Sentencing set for 5/6/2013 03:00 PM in Anchorage Courtroom 3 before Sharon L. Gleason.</p> <p>Pursuant to Fed. R. Crim. P. 32(f) within 14 days after receiving the presentence report, the parties must state in writing any objections, including objections to material information, sentencing guideline ranges, and policy statements contained in or omitted from the report. An objecting party must provide a copy of its objections to the opposing party and to the probation officer.</p> <p>NOTICE: No less than seven (7) days prior to the sentencing date, each party shall file a written sentencing memo pursuant to D.AK 32.1(d) and serve opposing counsel and the probation officer. cc: USM, USPO, JC (SCD, COURT STAFF) (Entered: 02/15/2013)</p>
02/22/2013	31	SLG TEXT ORDER: Due to a scheduling conflict in the Court's calendar, IT IS ORDERED that the March 11, 2013 Final Pretrial Conference with regard to defendant Kevin Ricker is VACATED and rescheduled for March 15, 2013 at 1:00 p.m. cc: USM, USPO and JC (AEM, CHAMBERS STAFF) (Entered: 02/22/2013)

03/13/2013	<u>35</u>	SLG TEXT ORDER: Upon consideration of the defendant Kevin Ricker's Notice of Intent to Change Plea 32 , a proposed Change of Plea hearing shall be held on March 18, 2013 at 3:30 p.m. The final pretrial conference scheduled for March 15, 2013 at 1:00 p.m. and four day jury trial scheduled to begin March 18, 2013 at 8:30 are hereby VACATED. cc: USM, USPO and JC (AEM, CHAMBERS STAFF) (Entered: 03/13/2013)
04/22/2013	<u>37</u>	PRESENTENCE INVESTIGATION REPORT (Sealed) as to Albert Maifea. (Attachments: # <u>1</u> Presentence Report) (Mills, Jeffrey) (Entered: 04/22/2013)
04/29/2013	<u>38</u>	SENTENCING MEMORANDUM by USA as to Albert Maifea (Cavanaugh, Kelly) (Entered: 04/29/2013)
04/29/2013	<u>39</u>	SEALED SENTENCING MEMORANDUM SUPPLEMENT as to Albert Maifea (Cavanaugh, Kelly) (Entered: 04/29/2013)
04/29/2013	<u>40</u>	SENTENCING MEMORANDUM by Albert Maifea (Attachments: # <u>1</u> Exhibit A, part 1, # <u>2</u> Exhibit A, part 2)(Gardner, Darrel) (Entered: 04/29/2013)
04/29/2013	<u>41</u>	SEALED SENTENCING MEMORANDUM SUPPLEMENT as to Albert Maifea (Gardner, Darrel) (Entered: 04/29/2013)
04/30/2013	<u>42</u>	RESCHEDULING ORDER: as to Albert Maifea. Sentencing Hearing is rescheduled to May 14, 2013 at 3:00 p.m. in Anchorage Courtroom 3 before Sharon L. Gleason. Signed by Judge Sharon L. Gleason on 04/30/2013. (AEM, CHAMBERS STAFF) cc: USM, USPO (Entered: 04/30/2013)
05/07/2013	<u>43</u>	NOTICE of Filing Letters in Support of Defendant by Albert Maifea (Attachments: # <u>1</u> Appendix E. Maifea Jr. Letter, # <u>2</u> Appendix I. Pene Jr. Letter, # <u>3</u> Appendix M. Pene Letter, # <u>4</u> Appendix R. Maifea Letter, # <u>5</u> Appendix S. Maifea-Faamai Letter)(Gardner, Darrel) (Entered: 05/07/2013)
05/14/2013	<u>44</u>	Minute Entry for proceedings held before Judge Sharon L. Gleason:Sentencing held on 5/14/2013 for Albert Maifea (1), Counts 1 and 2: 84 months imprisonment; 5 years supervised release; \$200.00 special assessment. cc: USM, USPO. (CME, COURT STAFF) (Entered: 05/14/2013)
05/14/2013	<u>45</u>	JUDGMENT as to Albert Maifea (1), Counts 1 and 2: 84 months imprisonment; 5 years supervised release; \$200.00 special assessment. Signed by Judge Sharon L. Gleason on 05/14/2013. cc: USM, USPO, Finance. (CME, COURT STAFF) (Entered: 05/14/2013)
05/14/2013	<u>46</u>	Sealed Statement of Reasons as to Albert Maifea. cc: USM, USPO, Finance. (CME, COURT STAFF) (Entered: 05/14/2013)
05/15/2013	<u>48</u>	Writ of Habeas Corpus ad Prosequendum Returned Executed as to Albert Maifea on 5/15/13. (PXS, COURT STAFF) (Entered: 05/15/2013)
05/29/2013	<u>57</u>	(Public Entry) Docket number 57 is a SEALED ENTRY for a Proceeding that was filed on 5/29/2013. (BJK, COURT STAFF) (Entered: 05/30/2013)
11/03/2014	<u>66</u>	Judgment Returned Executed as to Albert Maifea on 10/28/14. (PXS, COURT STAFF) (Entered: 11/04/2014)
08/03/2015	<u>80</u>	MOTION to Reduce Sentence – USSC Amendment by Albert Maifea. (Attachments: # <u>1</u> Proposed Order)(Gardner, Darrel) (Entered: 08/03/2015)
08/03/2015	<u>81</u>	MEMORANDUM of Law by Albert Maifea <u>80</u> MOTION to Reduce Sentence – USSC Amendment filed by Albert Maifea (Attachments: # <u>1</u> Exhibit A)(Gardner, Darrel) (Entered: 08/03/2015)
08/05/2015	<u>82</u>	NOTICE OF ATTORNEY APPEARANCE Frank V. Russo appearing for USA. (Russo, Frank) (Entered: 08/05/2015)
09/21/2015	<u>83</u>	ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. 3582(c)(2): granting <u>80</u> Motion to Reduce Sentence – USSC Amendment for Albert Maifea (1). Counts 1 and 2: 68 months imprisonment; 5 years supervised release; \$200.00 special assessment as to Albert Maifea (1) Signed by Judge Sharon L. Gleason on 09/21/2015. cc: USM, USPO. (CME, COURT STAFF) (Entered: 09/21/2015)

09/21/2015	<u>84</u>	ORDER/JUDGMENT REDUCING SENTENCE as to Albert Maifea; defendant's previously imposed sentence of imprisonment(as reflected in the last judgment issued) is reduced to 68 months. Except as otherwise provided, all provisions of the judgment dated 05/14/2013, shall remain in effect. Signed by Judge Sharon L. Gleason on 09/21/2015. cc: USM, USPO. (CME, COURT STAFF) (Entered: 09/21/2015)
09/21/2015	<u>85</u>	Sealed Page 2 of AO 247 – Order Regarding Motion for Sentence Reduction Pursuant to 18:3582(c)(2) as to Albert Maifea. cc: USM, USPO (CME, COURT STAFF) (Entered: 09/21/2015)
08/25/2016	101	(Public Entry) Docket number 101 is a SEALED ENTRY for a Document that was filed on 8/25/2016. (BJK, COURT STAFF) (Entered: 08/25/2016)
08/25/2016	102	(Public Entry) Docket number 102 is a SEALED ENTRY for a Document that was filed on 8/25/2016. (BJK, COURT STAFF) (Entered: 08/26/2016)
10/12/2016	117	(Public Entry) Docket number 117 is a SEALED ENTRY for a Document that was filed on 10/12/16. (PRR, COURT STAFF) (Entered: 10/12/2016)
10/12/2016	118	(Public Entry) Docket number 118 is a SEALED ENTRY for a Document that was filed on 10/12/16. (PRR, COURT STAFF) (Entered: 10/12/2016)
08/26/2019	<u>140</u>	NOTICE to <i>Terminate Electronic Service</i> by Albert Maifea (Gardner, Darrel) (Entered: 08/26/2019)